

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEBRASKA

IN RE:	)	CASE NO. BK14-40216
	)	
BARBARA A. PATRAS and	)	CH. 7
BILLY D. PATRAS,	)	
	)	
<u>Debtors.</u>	)	
KRISTAL MERRITT, on behalf of	)	ADV. PROC. A14-4010
Anonymous, a minor, and	)	
BENJAMIN ROSS, on behalf of	)	
ANONYMOUS, a minor,	)	
	)	
Plaintiffs,	)	
	)	4:13CV3226
vs.	)	
	)	
BARBARA A. PATRAS,	)	
	)	
Defendant.	)	

**REPORT AND RECOMMENDATION**

This adversary proceeding was transferred from the United States District Court for the District of Nebraska because Defendant, Barbara A. Patras, filed a chapter 7 bankruptcy case.

This adversary proceeding involves a claim against Defendant for a personal injury tort for which a jury trial has been demanded. Therefore, if and when the case proceeds to trial, it will proceed in the district court, not bankruptcy court. The automatic stay of 11 U.S.C. § 362(a) stays all further proceedings against the party in bankruptcy until such time as Plaintiffs have obtained relief from the automatic stay in bankruptcy court or the bankruptcy case has been dismissed.

Accordingly, I respectfully request that the United States District Court withdraw the reference of this adversary proceeding and upon such withdrawal, stay all further action against the party in bankruptcy until the bankruptcy case is dismissed or relief from the automatic bankruptcy stay has been obtained.

DATE: March 4, 2014.

Respectfully submitted,

/s/ Thomas L. Saladino  
Chief Judge

Notice given by the Court to:

Daniel H. Friedman/Herbert J. Friedman  
Brian S. Kruse  
Philip M. Kelly  
United States Trustee